

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION Trade Adjustment Assistance
	CORRESPONDENCE SYMBOL OTAA
	DATE June 15, 2022

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 14-21

TO: STATE WORKFORCE AGENCY ADMINISTRATORS
STATE WORKFORCE LIAISONS
AFFILIATE AMERICAN JOB CENTER MANAGERS
COMPREHENSIVE AMERICAN JOB CENTER MANAGERS
STATE WORKFORCE ADMINISTRATORS
STATE AND LOCAL WORKFORCE BOARD CHAIRS AND DIRECTORS
STATE LABOR COMMISSIONERS
RAPID RESPONSE COORDINATORS
TRADE ADJUSTMENT ASSISTANCE LEADS

FROM: LENITA JACOBS-SIMMONS /s/ for BRENT PARTON
Acting Assistant Secretary

SUBJECT: Fiscal Year (FY) 2022 Trade Adjustment Assistance (TAA) Training and Other Activities (TaOA) Grant Management Guidance

1. **Purpose.** To assist State Workforce Agencies (SWAs) or agencies designated by Governors as “Cooperating State Agencies” (CSAs) (also jointly referred to as “States,” “Recipients,” “Grantees,” “Applicant,” or “You”) in gaining access to FY 2022 TAA Program TaOA funds by completing and submitting Standard Form (SF) 424, Application for Federal Assistance, through www.grants.gov.
2. **Action Requested.** SWA Administrators are requested to immediately provide copies of this guidance to all staff involved in the preparation and submission of the SF-424s for TAA Program grant awards. SWA Administrators are asked to ensure that the staff person or persons responsible for performing these activities are fully aware of the required FY 2022 TAA Program TaOA grant application processes and timelines. The Department of Labor (“Department” or “Grantor”) is requesting that each SWA Administrator ensure that the SF-424 for TaOA grant funding for their state is submitted to the Employment and Training Administration (ETA) via www.grants.gov within 30 calendar days from the issue date of this TEG. L.
3. **Summary and Background.**
 - a. Summary - This guidance provides instructions to states on the required process for accessing FY 2022 TaOA funds. TAA Program TaOA funds provided under this grant award may be used to cover the cost of training, employment and case management services, job search allowances, relocation allowances, and related state administration. To access FY 2022 funds for Trade Readjustment Allowances (TRA)

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and Alternative Trade Adjustment Assistance/Reemployment Trade Adjustment Assistance (ATAA/RTAA), states should continue to follow standard procedures, as they have previously, and contact their assigned Federal Project Officer (FPO) if they have questions regarding these funds.

- b. **Background** - The Trade Act Title II, Chapter 2, established the Trade Adjustment Assistance for Workers (TAA), ATAA, and RTAA programs. These programs, collectively referred to as the Trade Adjustment Assistance Program (TAA Program), provide assistance to workers who have been adversely affected by foreign trade. Under Section 239 of the Trade Act, as amended, each state, as agent of the Department, receives applications and provides benefits and services to eligible workers certified to receive TAA Program benefits. Each state provides these services through one or more state agencies, one of which is designated as the CSA in an agreement between the state's Governor and the U.S. Secretary of Labor (Secretary); this agreement is known as the Governor-Secretary Agreement¹. The Governor-Secretary Agreement explains program requirements, limitations on the use of TaOA funds, and other important grant provisions, including the TAA Program Annual Funding Agreement (AFA), that states must comply with in order to access TAA Program funding. The Standard Terms and Conditions template that governs the TAA Program grant award is available at: <https://doleta.gov/grants/resources.cfm>. Attachment III of this TEGL sets out the TAA Program Requirements.

The Department and each state must execute an AFA at the beginning of the FY. As detailed in Section 4.b below, each state must submit a signed Application for Federal Assistance Standard Form-424 (SF-424) (Office of Management and Budget Approval No. 4040-0004) through www.grants.gov in order to initiate the grant award process, which culminates with the execution of the AFA.

4. Application and Grant Award Process.

- a. **Application Process** - The Department strongly encourages states to begin the submission process through www.grants.gov promptly, as it is often time consuming and could take several weeks for successful completion. In addition to other information requested on the SF-424, each state must: 1) enter the announcement number of this TEGL, ETA-TEGL-NO-14-21, into the opportunity number field of the application, and 2) enter the applicable amount set out for the state in Attachment I of this TEGL as the estimated dollar amount of funds requested for FY 2022. Attachment IV of this TEGL provides detailed instructions for submitting the SF-424 and includes links to resources, including customer service contacts and other information, available at www.grants.gov.
- b. **Grant Award Process** - Upon receiving the application submitted by a state, the Department's Office of Grants Management (OGM), in conjunction with the Office of Trade Adjustment Assistance, will review the application materials and request revisions as necessary. Once approved, OGM will incorporate the application with

¹ The Department revised and entered into new Governor-Secretary Agreements with each state in FY 2016. These Agreements remain in effect.

the AFA, which will be executed by the Department’s Grant Officer and transmitted to the Authorized Organizational Representative and the Point of Contact identified on the SF-424 for the state. Any subsequent changes to the information submitted on the SF-424 (individuals identified, address, etc.) must be submitted to the Department as a request to modify the AFA via the assigned FPO. Links to reporting databases, as well as general guidance on how to administer a grant award, may be found at: <https://www.dol.gov/agencies/eta/grants/management>, TAA Community page at <https://taa.workforcegps.org>, and our Office of Grants Management Grants Application and Management community page at: <https://grantsapplicationandmanagement.workforcegps.org/resources/2016/12/14/10/45/Grant-Management-Training>.

- c. SF-424 TaOA Funding Estimates – Due to the flexible nature of the overall funding scheme for TaOA activities, at the point in time in the FY that ETA issues this grants management guidance and the initial allocation guidance, we do not know the actual annual TaOA award amounts for each state. Thus, a more flexible estimate is needed. Attachment I of this TEGL sets out the amount that has been calculated by ETA for each state’s SF-424 estimated funds request for this FY. This amount is provided specifically for purposes of completing the SF-424. For the TAA program, the SF-424 Field 18 funding request is not determinative of the actual award amounts; however, Field 18 is important as it serves as a cap on the amount that ETA may distribute to the state for the FY. In other words, the estimate on each state’s SF-424 must be higher than, or at least equal to, the actual funds that will be awarded for the FY. Based on experience with the funding process, ETA determines the estimates in Attachment I by using both the funding formula factors and a standard 50 percent “cushion.” ETA uses this method to decrease the likelihood that a state will need to amend and resubmit its SF-424 during the FY grant cycle.

A state’s actual annual TaOA cumulative funding award is determined by the funding formula set out in 20 CFR 618.910(f), including formula factors designed to reflect current TaOA needs. As reflected in 20 CFR 618.900 et. seq., cumulative annual TaOA funding is also impacted by the recalculation of the formula prior to the award of funds later in the FY, and by any reserve funding requests, among other things.² As a result of these adjustments during the FY, the formula-based funding estimates calculated early in the FY often vary from the actual award amounts determined later in the FY.

As mentioned in Section 4.a. above, we request that states enter the amount of their applicable estimate from Attachment I in Field 18 of the SF-424. Please note that if at the time ETA awards FY 2022 TaOA funds in the Initial Allocation or Final Distribution, the amount a state entered in Field 18 of the SF-424 is lower than the cumulative total of funds being awarded at that time, ETA will ask the state to submit a new SF-424 with a revised estimate in Field 18.

² The regulations at 20 CFR § 618.900 and 20 CFR § 618.930 prescribe the timing for distribution of FY TaOA funds to states as follows: the Initial Allocation, as soon as possible after the beginning of the FY, but not before the Department receives its full FY appropriation; the Second Distribution by July 15 of each FY; and the Final Distribution of funds before the end of the FY.

5. **Inquiries.** For further information about this announcement, please contact Rahel Bizuayene, Grants Management Specialist, OGM, at (202) 693-3438. Applicants should e-mail all technical questions to bizuayene.rahel@dol.gov and must specifically reference **ETA-TEGL-NO-14-21** and their question(s), and include a contact name, fax, and phone number with the inquiry. This TEGL is available at <https://www.grants.gov>.

6. **References.**

- Consolidated Appropriations Act, 2022, Division H, (Pub. L. 117-103), enacted March 15, 2022;
- Chapter 2 of Title II of the Trade Act of 1974, as amended (Pub. L. 93-618) (Trade Act) (codified at 19 U.S.C. §§ 2271 et seq.);
- 20 CFR part 618, Trade Adjustment Assistance for Workers, Subpart I;
- Training and Employment Guidance Letter (TEGL) No. 15-12, *Delivery of Benefits and Services to Trade Adjustment Assistance (TAA) Program Recipients through the American Job Center Network Delivery System*;
- TEGL No. 16-16, *One-Stop Operations Guidance for the American Job Center Network, and its Change 1*;
- TEGL No. 17-16, *Infrastructure Funding of the One-Stop Delivery System*;
- TEGL No. 3-19, *Real Property Under Employment and Training Administration-Funded Grants*;
- TEGL No. 17-19, *Fiscal Year (FY) 2020 Trade Adjustment Assistance (TAA) Training and Other Activities (TaOA) Grant Management Guidance*;
- TEGL No. 14-20, *Initial Allocation of Fiscal Year (FY) 2021 Trade Adjustment Assistance (TAA) Program Training and Other Activities (TaOA) Funds and Process for Requesting TAA Reserve Funds*;
- TEN No. 2-20, *Announcing the Release of the Trade Adjustment Assistance (TAA) for Workers Final Rule and Amended Information Collections Associated with this Rulemaking*;
- TEGL No. 2-21, *Second Distribution of Fiscal Year (FY) 2021 Trade Adjustment Assistance (TAA) Training and Other Activities (TaOA) Funds and Process for Requesting TAA Reserve Funds*; and
- TEGL No. 4-21, *Modification Requirements for Workforce Innovation and Opportunity Act (WIOA) State Plans for Program Years (PYs) 2022 and 2023*.

7. **Attachments.**

- Attachment I: Estimated Fiscal Year (FY) 2022 TAA Program TaOA Funding Levels, by State
- Attachment II: Award Description
- Attachment III: TAA Program Requirements
- Attachment IV: Additional Grants.gov Submission Instructions for TaOA Funding